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NVN AND US POSITIONS ON KEY ISSUES
(through August 16, 1971)

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

WITHDRAWAL OF FORCES

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Per
NSC letter 12/2/72
Date 12/2/72

Their Position

Point 1: "The withdrawal of the totality of U.S. forces and those of foreign countries in the U.S. camp from South Vietnam and other Indochinese countries should be completed within 1971."

Point 6: "The problems existing among the Indochinese countries should be settled by the Indochinese parties on the basis of mutual respect for the independence, sovereignty, territorial integrity and non-interference in each other's affairs. As far as it is concerned, the Democratic Republic of Vietnam is prepared to join in resolving such problems."

Our Position

Point 1: "We are prepared to set a terminal date for the withdrawal of all our forces from South Vietnam. We would arrange for roughly the same timetable for the withdrawal of other Allied forces."

Point 2: "The Vietnamese and the other peoples of Indochina should discuss among themselves the manner in which all other outside forces would withdraw from the countries of Indochina."

Our 8 Points

"1. The withdrawal of all U.S. forces and other foreign forces allied with the government of South Vietnam will be completed by August 1, 1972, provided that the final agreement based on the principles in this statement is signed by November 1, 1971. The terminal date for U.S. and allied withdrawal will be advanced if the agreement is signed earlier and will in no event be later than nine months after the agreement is signed."

"5. The problems existing among the Indochinese countries will be settled by the Indochinese parties on the basis of mutual respect for independence, sovereignty, territorial integrity and non-interference in

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each other's affairs. Among the problems that will be settled is the implementation of the principle that all armed forces of the countries of Indochina must remain within their national frontiers."

Their July 12 Statements

Xuan Thuy: "If we propose 1971, let you now propose another date and we shall examine the dates to see which one is more reasonable."

Tho specifically said that they had not agreed to our Point 2, and proposed their Point 6 instead.

The withdrawal should not be linked to a general cease-fire, which should follow only upon a general agreement.

Our July 12 Statements

"We are prepared to give you a date for the total withdrawal of U.S. and allied forces as the first item of business once we have come to an agreement on the framework. We agree that this be the first item of business and that it would be mutually agreed."

"The Minister has let his optimism run away with him." (re 1971)

"We maintain Point 2 of our 7 point proposal." We pointed out that it was Point 3 of their old 10 points.

"We believe that the principle should be accepted that the troops of each of the countries of Indochina should stay within their borders. But we agree that the details of this can be discussed among the countries of Indochina."

Their July 26 Statements

Xuan Thuy: "You said that you agreed to the principle of U.S. troop withdrawal linked with the question of prisoners. These two operations begin on the same date and end on the same date. But what is important is a date on which U.S. troop withdrawal would be completed. . . As for us, we have been clear in saying that the troop withdrawal from South Vietnam and other Indochinese countries should be completed by 1971."

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Xuan Thuy: "I think in your Point 2 you raise the question of mutual withdrawals. But previously you said you would not put on the same legal footing U.S. forces and Vietnamese forces fighting against aggression."

Le Duc Tho: This question cannot be put in such a way. We have put the problem in our Point 6. . . And I cannot give an answer to your question to settle this problem since you have not fixed any date for withdrawal and you have not answered our Point 3 about maintaining the Thieu Administration."

Xuan Thuy: "Now, about the time limit for troop withdrawals. First, you say that the period of nine months is based on my view. It is not true. My view concerns a terminal date. . . There should be a terminal date, so that you will make an effort to fulfill things at that date. Nine months is new; it is a shorter period than twelve months, but without a fixed date it is the same."

Our July 26 Statements

"We are prepared to fix a date for the withdrawal of all our forces as well as the forces allied with us, to be completed nine months after the signature of an agreement."

"We propose the withdrawal of all organized military forces; all bases, purely American bases, will be given up; and the withdrawal of all advisers with combat units."

"We would propose to keep a very small number of technical and logistic personnel to supervise American equipment, a number fixed in the agreement and progressively reduced. . . All the equipment belong to American forces will be withdrawn, not material that belongs to South Vietnamese forces. . . There are two things: first, these personnel would help for a limited time to maintain and train Vietnamese personnel in the technical aspects of complex equipment of South Vietnamese units; second, they would supervise distribution of whatever new equipment would be permitted in the agreement. We are talking here of very small numbers; we are not talking about tens of thousands. This is a number we can specify in the agreement and progressively reduce to a normal military attaché office with a slightly enlarged function."

"I frankly have no precise numbers. . . But I can tell you that it will be considerably smaller than the number of troops in the country when combat

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troops were sent in 1964. I would think, without giving specific figures, that the number that would be left when withdrawals are completed would be considerably less than 10,000 and would be progressively reduced thereafter. And there would not be any organized military units."

The number of those remaining later in the military attache office "will be much less than 1,000." The functions "will be confined to the technical equipment and would have nothing to do with combat . . . No training," except for maintaining equipment. "We could agree to end the training function for everything, say a year after the total withdrawal of U.S. forces."

"All you have to do is sign an agreement and there will be a terminal date nine months later."

"We have agreed that [the withdrawal of North Vietnamese forces] should be discussed in another forum, but we want to know if you agree in principle that the forces of North Vietnam should remain within the frontiers of North Vietnam like the forces of others will do."

"And I will in turn look at your problem concerning technical advisers."

Their August 16 Statements

Xuan Thuy: "Our proposal is that the withdrawal of U.S. forces and those of other countries from South Vietnam should be completed by the end of 1971. Now the U.S. Government proposes that if agreement is reached on general principles by November 1, 1971, then the withdrawal of U.S. forces and other forces would be completed by August 1, 1972.

The proposed terminal dates of the two sides are still far apart. I do not know the reasons why you have proposed such a remote date for troop withdrawal, when we are telling each other that we should end the war soon.

Another point is that at the last meeting Mr. Special Adviser raised the question of leaving behind military advisers and technical personnel in South Vietnam. We absolutely cannot agree to leaving behind any military advisers, military personnel, or technical personnel in South Vietnam. Because it is a question of principle.

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When we request the total withdrawal of U.S. forces, we mean that all U.S. forces, ground forces, naval forces, air forces, marine forces, military advisers, military personnel, technical personnel, war material, military bases, all should be withdrawn, without any exceptions and without any reservations.

So this question of leaving behind military advisers was orally raised by you in the last meeting. Now in these eight points the question is not raised. Does it mean that you have given up this question? "

Xuan Thuy: "I am not yet satisfied. We propose 1971. You propose August 1, 1972. The dates are still far apart. I do not understand why you propose so remote a date. I only praised you for having set a specific date. But this date, I have not agreed to it.

If you had proposed a specific date when we talked last year I think the problem would be solved by now. "

Xuan Thuy: "We have proposed some day in 1971, not necessarily December 31. Now you have proposed August 31, 1972, and you said that you would slightly adjust the date if we settle other problems. But the two dates are still very far apart. "

Our August 16 Statements (In addition to 8 Points)

"As I told you before, December 31 is out of the question.

But if we settle all the other points, I believe we can adjust the date slightly to take account of any good will shown by your side on other issues. "

"We believe it will not be possible to complete this withdrawal without total chaos in the time period the Minister has indicated.

Now with respect to the question which the Minister asked me, I would like to respond also. With respect to whatever small number of technical advisers left after our withdrawal, they would be kept within fixed designated locations and would also be withdrawn within a fixed designated period after that.

But I would like to reserve this for when we come to concrete negotiations. "

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Current Situation

We have accepted Hanoi's demand that we set a date, and we have said that we will withdraw our forces within nine months after an agreement is reached. We have also said that whatever small number of technical advisers remain will be in fixed designations and will be withdrawn within a fixed period after that. Disagreement or ambiguity remains about:

- Setting a terminal date before agreement.
- Length of timetable.
- The arrangement for the disposition of other outside forces, e.g., the North Vietnamese.
- The relationship between withdrawals and a general cease-fire.
- The remaining U.S. technical personnel, their numbers, locations, and functions.
- The pace and composition of withdrawals within agreed timetables.

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NVN AND US POSITIONS ON KEY ISSUES

(through August 16, 1971)

POW'S



Their Position

Point 2: "The release of all military men and civilians captured in the war should be carried out in parallel and completed at the same time as the troop withdrawals mentioned in Point 1."

Our Position

Point 7: "I want to reiterate our proposal for the immediate release of all prisoners of war and innocent civilians held by both sides throughout Indochina. We believe this issue should be settled immediately on a humanitarian basis. If this is not done, the men must be released as an integral part of the settlement we are proposed in our final offer. We would expect:

-- Your side would present a complete list of all prisoners held throughout Indochina on the day an agreement is reached.

-- The release of the prisoners would begin on the same day as our withdrawals under the agreed timetable.

-- The release of prisoners would be completed at least two months before the completion of our final withdrawals."

Our 8 Points

"2. The release of all military men and innocent civilians captured throughout Indochina will be carried out in parallel with the troops withdrawals mentioned in Point 1. Both sides will present a complete list of military men and innocent civilians held throughout Indochina on the day the final agreement is signed. The release of these prisoners will begin on the same day as the withdrawals mentioned in Point 1 and will end on the day such withdrawals are completed."

Their July 12 Statements

Le Duc Tho: "You proposed the release of POWs and innocent civilians on both sides. We propose this be carried out as far as Vietnam is concerned. You propose for all of Indochina. For the release of POWs, we propose that you set a date for troop withdrawal."

Our July 12 Statements

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"As for the second point, we accept your formulation with two elaborations, which are drawn from our seven points. The elaborations are as follows:

-- Both sides would present a complete list of military men and innocent civilians held throughout Indochina on the day agreement is reached.

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-- The release of these prisoners would begin on the same day as our withdrawal under the agreed timetable and would end on the day our withdrawals are completed.

"You will notice that we have dropped the provision that the POWs be released two months before withdrawals conclude, as a gesture of goodwill and in order to speed progress."

Their July 26 Statements

Xuan Thuy: "We feel no difficulty about the views you wanted to add (on our Point 2)."

Xuan Thuy: "A third example is on the question of POW's. This is a question of the aftermath of the war, the consequence of war. But we are prepared to settle the problems if we can come to an agreement on the military and political questions. The question of prisoners is not difficult at all."

Xuan Thuy: "After we agree on a terminal date for troop withdrawal, we can then consider the question of furnishing a list of military men and civilians captured during the war."

"Regarding the question of prisoners throughout Indochina, I have told the Special Adviser that concerning the Indochina questions we shall reach agreement here and we shall exchange views with our respective allies." (After Kissinger expressed his view that he had great confidence in their persuasive power)! "I have only repeated your views expressed the other day. I agree to your views."

Le Duc Tho: "Thus, if you agree to a withdrawal date today, we will release prisoners and have an agreement."

Le Duc Tho: "How can we liberate prisoners throughout Indochina" since "you have not expressed your views on" the political questions of the Indo-chinese countries?

Our July 26 Statements

"You must understand that it is absolutely not possible to make peace unless all prisoners in Indochina are released. That is not open to discussion."

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How you accomplish this is your problem, but I have great confidence in your persuasive powers."

"And we will not settle the war just for prisoners. That is another point you should have no illusions about."

Their August 16 Statements

Xuan Thuy: "We have based ourselves on your views, and on ours.

We have prepared the following formulation.

'The release of captured military personnel and captured civilians captured during the war will begin on the same day with the troop withdrawal mentioned above, according to an agreed timetable, and will be completed on the same day with the troop withdrawal mentioned above. The two sides will produce the complete lists of military personnel and civilians captured during the war on the day an agreement is signed.' "

Xuan Thuy, in response to Dr. Kissinger's query, confirmed that North Vietnam would make recommendations to its allies concerning the release of prisoners throughout Indochina.

Our August 16 Statements (In addition to 8 Points)

"As far as I can see, point 2 presents no difficulty for us as long as it is understood that it deals with all the prisoners in Indochina."

Current Situation

Essential agreement appears to have been reached on the timetable for release of prisoners and the exchange of lists.

Ambiguity remains on the issue of VC in SVN. We refer to "innocent civilians" while Hanoi speaks simply of "civilians."

Ambiguity also remains on the issue of POW's in Laos and Cambodia, although they have not contested our formulation in the 8 Points which refers to all of Indochina and they have said they will make "recommendations" to their allies.

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NVN AND US POSITIONS ON KEY ISSUES
(Through August 16, 1971)

THE POLITICAL ISSUE

Their Position

Point 3: "In South Vietnam the U. S. should stop supporting Thieu/Ky/Khiem so that there may be set up in Saigon a new Administration standing for peace, independence, neutrality, and democracy. The PRG will enter into talks with that Administration to settle the internal affairs of South Vietnam and to achieve national concord."

Our Position

Not listed in our seven points.

Our 8 Points

"3. The political future of South Vietnam will be left for the South Vietnamese people to decide for themselves free from outside interference.

The United States, for its part, declares that it:

- Supports no candidate and will remain completely neutral in the forthcoming South Vietnamese elections.
- Will abide by the outcome of these elections and any other political processes shaped by the South Vietnamese people themselves.

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- Is prepared to define its military and economic assistance relationship with any government that exists in South Vietnam, including setting limits on military assistance to South Vietnam as part of an overall limitation on outside military assistance for both North and South Vietnam.

Their July 12 Statements

Xuan Thuy: "I move that we should discuss at the same time the military problem and the political problem."

Le Duc Tho: "The change of Thieu is the yardstick of your desire to make peace or to continue the Vietnamization of the war. . . . We can tell you that if now you settle the question of the change of Thieu, we shall settle the question of the war not only in Vietnam but also in other countries of Indochina in a rapid way and a very satisfactory way. . . . I tell you in a serious way that you have to replace Thieu. . . . "[Then] "we shall make a big step forward and settle the problem rapidly and to the satisfaction of both parties."

Le Duc Tho: "If now you decide explicitly that you will change Thieu, then we shall immediately make our response."

Le Duc Tho: "If you do not agree it will be difficult to make progress We and the PRG want to talk with a government in South Vietnam standing for peace and for serious negotiations. . . . But with Thieu it is impossible to bring peace."

Le Duc Tho: "Because of the forthcoming elections if you want to change him, this is the opportunity to do that."

Xuan Thuy: "Another way, is if you will persuade Thieu not to present himself in the forthcoming elections. That is an easier way."

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Our July 12 Statements

"We could accept the principle of your point three in its general sense. We could agree that we are not committed to any one government in Saigon but to work in the same way with any government which exists there. We are willing to agree to a defined relationship with whatever government there is in Saigon after a peace agreement is signed. That is to say we are willing to define the precise economic, military and political relationship which a South Vietnamese government can have with us under conditions of peace. . .

"In this connection, we are prepared to look seriously at some of the thoughts contained in points 4B and 5 of the proposal presented by Mme. Binh on July 1, which recall the 1954 Geneva injunctions against foreign military alliances, foreign military bases and foreign forces.

"That is as far as we can go and as much as you can realistically expect."

"I want to point out, too, that you must have some confidence in the political evolution in Saigon, and my visit to Saigon has convinced me that the best way to begin that political evolution is to come to an agreement this summer."

"Finally, for your information, we are not opposed to the ideas about the reunification of Vietnam contained in paragraph 4A of Mme. Binh's statement."

"Concretely, what do you mean by changing the government? What are we supposed to do?"

"If, for example, you say we should not support any one candidate in the election we can easily do it. We can keep such a promise if we make it. We can make sure that we will not support him and you will know whether we are doing it or not."

"We are willing to declare that we are not supporting any one government in Saigon. But we would like to express the point in specific restrictions that we can have with whatever government exists in Saigon, no matter how it came into power. This would apply to the existing government or to any other government that might appear.

"I have pointed out that some of the ideas expressed in points 4B and 5 of Mme. Binh's proposal could form a basis of discussions."

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Their July 26 Statements

Xuan Thuy: If the political issue is not "clearly reflected" in the discussion, then "our discussions cannot make rapid progress. . . The question of South Vietnam will not be settled."

Xuan Thuy: You said "that Point 4 and Point 5 of the 7 Points of the PRG could be agreed upon. . . We have no objection to that."

Xuan Thuy: "We have been clear in saying that you should change the present ruling group headed by Nguyen Van Thieu. . . The views you expressed last time were not clear."

Le Duc Tho: "We do not mean a change of person but of policy. Because even now if you change the person, and not change the policy, if there is the same policy. . . there is no change at all. We speak of Thieu because he symbolizes and embodies this warlike and fascist policy."

Le Duc Tho: "With a person like Thieu, I do not think that he can change his policy overnight. There should be another person with another policy."

Le Duc Tho: "After the formation of a new administration favoring peace, independence, and neutrality, this new administration will enter into serious negotiations with the PRG regarding all military and political questions, including those raised by the PRG. As I told you the other time, if this change is brought about, then we will seriously, rapidly, logically and reasonably settle the problem."

Le Duc Tho: "We request a change of person and of policy. Because if you only change the person, and the policy is the same, there is no change at all. But if you keep Thieu, with such a person no change of policy is possible. Even if you affirm that such a policy is changed, the people of South Vietnam will not believe it."

Xuan Thuy: "You said that to replace Nguyen Van Thieu is beyond your power and is dishonorable. We think you have the capability to do so and are unwilling to do so."

Xuan Thuy: "We do not ask you to make a public statement. You should do that secretly. No one knows. Let you do that secretly and it will not reflect on your honor. . . This understanding is between us only. It is not divulged."

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Xuan Thuy: "What you have been saying shows that you will maintain Nguyen Van Thieu. Moreover, if you maintain Nguyen Van Thieu, it would not only be harmful to U.S. honor, but we cannot settle the problems here."

Xuan Thuy: "Secondly, on political problems, if you stick by the views of today this will be an obstacle to a settlement."

* Le Duc Tho: "But there are candidates [in the South Vietnamese elections] with programs favoring peace, independence, neutrality and democracy. The people in South Vietnam, in the cities, in the countryside, approve such a candidate. There is no reason if such a candidate wins the election that we be told how."

Our July 26 Statements

"I am prepared to state formally that we are prepared to discuss Point 1 and Point 3, as part of a final settlement that includes all other parts. . . We are prepared to discuss political questions."

"We have told you on innumerable occasions that we cannot [replace the Administration in Saigon] because it is beyond our power to do it, and because it would be dishonorable to do it. . . You cannot expect us both to withdraw from Vietnam rapidly and to do all your political work for you."

"We are prepared to accept the outcome of any political process which develops after our departure. We believe that our withdrawal will have certain consequences, as you yourselves have repeatedly pointed out."

"The withdrawal of our forces must have certain consequences. Secondly, we believe that the announcement of our withdrawal will have consequences of a major political nature even before the withdrawal is completed. We believe that our readiness to accept some of the elements of Point 5 of Mme. Binh's proposals, specifically the provisions for neutrality, will have major political consequences in South Vietnam. We believe that an announcement of our readiness to accept certain limitations on our military assistance to the GVN will have major political consequences, first when it is announced and then when it happens. We believe that a declaration of total neutrality on our part in any political contest in South Vietnam will have major political impact both when it is announced and when it is carried out. We are prepared to make all these declarations and we are prepared to carry them out scrupulously as part of a settlement. In short, we are willing, insofar as this is in our power, to undo those distortions of the South Vietnamese political life that our presence

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and interference may have provoked. We are not prepared to take an active part in bringing about the solution you wish. We want the people of Vietnam to be genuinely free to choose their own future."

"We can make a rapid settlement, in which case the political process will start sooner."

"We are prepared in any agreement in principle which we make to state a number of political propositions such as neutrality, limitations on aid, and other matters. That in itself is a political discussion. As for the domestic structure in South Vietnam, we have always said we are not competent to discuss it alone."

"Now as for the political solution. . . we have offered to do a number of things which would make it easier for the forces you support to participate in a political process and to affect the political future. . . (Recapitulation of statements U.S. agrees to make.) We are willing to listen to other proposals along this line."

"We are willing to accept limitations on military aid to South Vietnam that you are willing to accept for yourself. It is impossible for you to say that you will accept no limitations on military aid but that other countries should."

"What we cannot do is what you ask, to make a secret agreement to replace the leader of a country which is still an ally. Which would then lead to endless debate, moreover, as to what exactly a peaceful administration is, in which you have a veto because you are the only one who knows what is meant by peaceful."

"If you expect me to come here next time prepared to tell you that we will make a secret agreement to overthrow Thieu then we will both be wasting our time. Because the President will never approve this."

"I feel an agreement in principle right now would have a greater impact on the political situation in South Vietnam than another year of war. But it is up to you to decide."

"The only other possibility is that you come up with another proposal than the secret agreement to overthrow Thieu. And we will examine it seriously."

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Their August 16 Statements

Xuan Thuy: "Regarding point three, we have raised one point repeatedly, that is to say that the U.S. Government should change the Nguyen Van Thieu Administration. The reason why we have raised this question is because at the last meeting as well as today the Special Adviser says that due to the U.S. presence there has been confusion in South Vietnam. And the embodiment of this confusion is the establishment and the existence of this Nguyen Van Thieu Administration.

Nguyen Van Thieu has stated his "four no's" foreign policy and he has been implementing the U.S. policy. Therefore when you say that the U.S. will make a statement regarding U.S. neutrality in the forthcoming election, this statement will have an impact on the political process in South Vietnam.

You expressed this view at our last meeting, and this time this view has been written down in your eight points. And this has been stated by President Nixon in his August 4 press conference. We have made it clear to all concerned parties that the U.S. will remain neutral in the forthcoming election.

Therefore this statement does not have to await the publication of the eight points, because the statement was made by President Nixon on August 4, and we have not seen any impact so far.

With the military, political, and administrative machinery and with the pacification teams furnished by the U.S. to the Nguyen Van Thieu Administration, this Administration is terrorizing the people and repressing the opposition forces and it is consolidating the anti-democratic and fascist regime in South Vietnam with a view to winning the forthcoming election.

This shows that the statement by the U.S. Government to remain neutral in the forthcoming election has no effect at all.

And practically, in reality, the U.S. Government is supporting Nguyen Van Thieu.

In my view I think that we are here to negotiate not on the basis of something we think, something abstract, some suppositions, and something that will only have psychological effect, but we should negotiate here to settle substantive, concrete problems.

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Therefore, I think that as long as the U.S. Government seeks means to maintain Nguyen Van Thieu, that the peaceful settlement of the Vietnam problem will be difficult."

Xuan Thuy: "I realize that regarding your point three, you are still speaking in an abstract way, in a theoretical way, and there is nothing concrete in your statement."

You accuse us of not putting forward any alternative to your proposal, but I think Mr. Le Duc Tho and I have addressed ourselves to this question. We still feel the U.S. has the full capability to do that, and the reason is that you are not willing to do it.

I frankly tell you that this question is not important for our talks here, but it is important in the sense that it involves the existence of Vietnam, the fate of the South Vietnamese people. And the people there as you see, are now energetically opposing the Thieu Administration, and they say that the U.S. is trying to maintain this Administration, and they say that Ambassador Bunker is trying by every means to maintain Nguyen Van Thieu."

Xuan Thuy: "I feel that I cannot understand why Nguyen Van Thieu, having in his hands the military apparatus, the administrative machinery, the political machiner, pacification teams, propaganda teams, why only a statement made by the U.S. Government to the effect that it will be neutral in the elections can prevent Thieu from being re-elected, or why another person without the machinery can win the elections. You have been to South Vietnam and you can see more concrete facts than I can."

So regarding point three, we have not yet the elements for an agreement, although the explanations you give me are interesting. But I am afraid that in practice it is not as you say. Therefore I would like to propose that you give further thinking to this question."

Our August 16 Statements - (In Addition to 8 Points)

"I have only one final point, Mr. Minister. If you read the President's press conference carefully, you will find that there is an answer on the question of the political future of South Vietnam which we felt would respond to your concerns. We phrased it on the basis of your concerns, but you have concentrated on another point in order to score a debating point."

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"I understand what you said about the President's statement. It was made primarily as a sign of good will towards you, to show you that we are taking these discussions seriously.

But as an isolated act, taken by itself, not preceded or followed by anything else, it cannot by itself lead to the results which we discussed. But we believe that if there were a formal declaration, not only of this point but of all the other points in point three, and if the minds of the people of South Vietnam were conscious of a course of imminent peace, and if it were clear that the U.S. does not accept one of the four no's, that is the one of no neutrality, the conjunction of all these things would lead to a more favorable expression of the popular will.

If the Minister means literally what he says, that is a government which is neither Communist nor pro-American, we have no objection to that. The problem is how to bring this about.

We would like to leave it to a historical process, realizing full well that after an agreement the conditions will not be the same as they are today. You want us to settle it immediately and we cannot do what you propose and we have not heard another proposal on what can be done except our own.

But we do not necessarily quarrel with your objective. We can have no interest to impose a pro-American government in a relatively small part of Asia when in the rest of Asia we are prepared to deal with other governments, some of which are openly hostile to us."

"We have declared that we will not support any particular government in South Vietnam, including the existing government.

The problem is, and you spoke of Ambassador Bunker, that we are prepared to take any reasonable steps to make clear our neutrality in the elections, and to make clear that the activities of American personnel can give rise to no misapprehensions in this. So the major problem is how to express these intentions in a way that is acceptable both to you and to us.

I agree with the absent Special Adviser and the Minister that if we can settle the obstacle of point three all the other issues can be settled."

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"You want us to bring about a situation there in which the collapse of the government there is guaranteed in advance and immediate. We want to bring about a situation in which a change of government is possible but in which we do not ourselves guarantee to bring it about.

Five or six more months of steady decline in American forces will not change the political reality of South Vietnam. If you analyze the political realities of South Vietnam and the political realities of America, it must be clear to you that for us to interfere on a permanent basis in a country ten thousand miles away from the U.S. is not realistic, and it is not the policy of this Administration. "

"I don't predict that Thieu will lose. I predict that it will create a new context, and if this does not happen after a signed statement of principles, there will be other occasions to talk. "

"What you ask is impossible, I told you before. Maybe there's some other formula to allow the really free expression of the will of the South Vietnamese people. We are willing to consider it. You cannot ask us to do things which are truly impossible, and which will be even more impossible in a year when we will have further reduced our forces unilaterally.

The objective of a South Vietnam which is neither Communist nor allied to the U.S. give us no problem.

If you can come up with a formulation, we will look at it with great care and with an attempt to come with an agreed formulation. "

"I think that if nothing happens between now and the elections, the existing government will certainly win. I believe that if we had agreed on a statement of principles along this line, or on something like this, and if we adopted them together with detailed instructions to all our people, then there is a chance, not a certainty, that General Minh may win.

I also believe that if we had an agreement or an understanding that the U.S. would maintain a position of neutrality, then any government in South Vietnam which pursued extremely repulsive policies could be affected by the degree of economic assistance we give it, and that our decisions would be affected by their actions.

But if there is no agreement, then what you fear most is certain to happen. "

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"That is true. That is the point. We cannot guarantee the results. But we can guarantee that over a period of time we will use all our influence to guarantee a free political expression."

Current Situation

This issue remains deadlocked. They still want us to do their political work for them, whereas we are pushing for the evolution of the political process.

They continue to insist that we get rid of Thieu. They have made clear that they want not only a change of policy but also a change of personality. And vice versa. They have offered to agree on the removal of Thieu secretly in order to save our honor (sic). They have been somewhat ambivalent in their demands ranging from a deal to overthrow Thieu, to changing policy as well as people, to our making sure the right candidate wins the election.

We have incorporated as part of point three of our proposed agreed statement of principles:

- Future of SVN will be for SVN people to decide for themselves free from outside interference.
- U. S. declares its neutrality and it supports no candidate.
- We will abide by the outcome of the elections and any other processes shaped by SVN people themselves.
- We are prepared to define our military and economic assistance relationship with any government that exists in SVN, including setting limits on military assistance to South Vietnam as part of an overall limitation on outside military assistance to both North and South Vietnam. (In addition we have proposed that both sides agree to the neutrality of South Vietnam and that reunification should be settled between North and South.)

We have made crystal clear we will not replace Thieu, while suggesting that our political formulations might affect the election campaign. We have said we will consider new formulations they might propose within our framework.

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NVN AND US POSITIONS ON KEY ISSUES
(through August 16, 1971)

REPARATIONS/ECONOMIC AID

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Their Position

Point 4: "The United States Government must bear full responsibility for the damages caused by the United States to the peace of the whole of Vietnam. The government of the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam demand from the U.S. Government reparations for the damage caused by the U.S. in the two zones of Vietnam."

Our Position

Not covered in our seven or eight points. '(We have said we are willing to pledge economic aid to Indochina as an understanding.)

Their July 12 Statements

Xuan Thuy: Regarding point four, you said the U.S. would grant economic aid to the Indochina countries. It is a voluntary act on the part of the U.S. Government. But as far as we are concerned we want something more precise. What is the essence of your statement?"

Xuan Thuy: Do you mean economic aid without repayment?"

Our July 12 Statements

"Let me talk about point four next. I believe that it is a point that will be easy in substance but difficult if you involve it with our honor. We cannot accept that as a condition of peace that we should pay reparations to end a war. On the other hand, we are prepared to declare unilaterally that we will engage in a substantial program of economic rehabilitation of the countries of Indochina. I frankly have not discussed with the President how to do this, but I have the following ideas.

"For example, the President could either make a statement in which he would declare that upon conclusion of the war we would set aside a certain sum for rehabilitation of Indochina, or make a speech asking Congress to express support for this. And this, in my judgment, could be quite a substantial sum, but I would like to discuss in Washington what the sum would be, if you are interested.

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"But we can do this only as a voluntary act, and not as a result of pressure. And I believe it is also in the interest of both our countries because this could lay the basis for a new relationship between us."

(After Xuan Thuy asks about whether it would be without repayment):
"Substantially, yes." (Xuan Thuy: "OK.") "But I want to check the details. I think this is no problem. I don't think repayment will be a problem."

Their July 26 Statements

Xuan Thuy: "We have clearly stated the responsibility of the U. S. for the loss of human life and property caused during the war in both North and South Vietnam. You want to raise the question of aid. We shall consider your views."

Our July 26 Statements

"The President is prepared, upon signature of an agreement in principle, to go to the Congress and to recommend to the Congress a five-year program of assistance for all the countries of Indochina. The sum he is prepared to recommend to the Congress is about seven and a half billion dollars over a five-year period, of which two to two and a half billion dollars would be dedicated to North Vietnam."

"The question of repayment would not be a problem. Over two-thirds of the funds would be in outright grants. The remainder would be in very long term, very low interest rate loans which pose no practical problems of repayment. Even that is adjustable."

"There would be no conditions attached to this assistance program."

Their August 16 Statements

None

Our August 16 Statements

"I am authorized to transmit to you the following oral understanding on the authority of the President of the United States."

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'Within one month after the signature of the agreed statement of principles, the President of the United States will request from the Congress authorization and appropriations for a five-year program of economic assistance for all the countries of Indochina. He will request a sum in the neighborhood of seven and a half billion dollars over a five-year period, of which no less than two billion dollars would be set aside for the Democratic Republic of Vietnam. He will further request that the great bulk of this economic assistance program be in grants with the remainder in long term, low interest loans.' "

Current Situation

There is basic agreement on this issue, with Hanoi being ready to accept aid in lieu of "reparations" in an agreement, while probably making its own statements about our culpability. They did not react to the amount and terms of our aid. These are perhaps subject to further negotiation, but shouldn't be a real problem.

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NVN AND US POSITIONS ON KEY ISSUES
(through August 16, 1971)

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CEASEFIRE AND INTERNATIONAL SUPERVISION

Their Position

Point 7: "All the parties should achieve a ceasefire after the signing of the agreements on the above mentioned problems."

Point 8: "There should be an international supervision."

Our Position

Point 3: "There should be a ceasefire in place throughout Indochina, to become effective at the time when U.S. withdrawals based on the final agreed timetable begin."

Point 4: "As part of the ceasefire, there should be no further infiltration of outside forces into the countries of Indochina."

Point 5: "There should be international supervision of the ceasefire and its provisions."

Our 8 Points

"6. There will be a general ceasefire throughout Indochina, to begin when the final agreement is signed. As part of the ceasefire, there will be no further infiltration of outside forces into any of the countries of Indochina."

"7. There will be international supervision of the military aspects of this agreement including the ceasefire and its provisions, the release of prisoners of war and innocent civilians, and the withdrawal of outside forces from Indochina."

Their July 12 Statements

Le Duc Tho: "One of your points deals with, you say that there should be, international supervision of the ceasefire and its provisions. We agree in principle on this point, but on when and how a ceasefire will start, there is still disagreement between us."

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Our July 12 Statements

"We accept point seven in principle, but we want to define it as follows on the basis of our points three and four: there should be a general ceasefire throughout Indochina, to begin when an agreement is signed. As part of that ceasefire, there should be no further infiltration of outside forces into all the countries of Indochina."

Their July 26 Statements

Xuan Thuy: "Regarding our Point 7, you said that you agreed in principle. You said that once agreement is reached on the above Point 6, then a ceasefire should be agreed. You proposed to add a few more ideas. I think your request could be considered."

Xuan Thuy: "As to our Point 8 (and our Point 9), you said that you agreed to them. I have nothing to add. When the time comes, we shall discuss these points in detail."

Our July 26 Statements

"Suppose we agree on a ceasefire, to give you a concrete example. The international conference would deal with the technical supervision of the ceasefire, e.g., how many teams, where they should be."

Their August 16 Statements

None

Our August 16 Statements

None other than 8 points.

Current Situation

There is agreement that there should be a ceasefire, with the following issues still to be resolved:

- When does the ceasefire begin?
- What forces ceasefire, and upon whom?

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- Does the ceasefire include cessation of infiltration?
- Is the ceasefire valid throughout Indochina or just Vietnam?
- Reconnaissance flights. (On May 31 Xuan Thuy said that these flights can lead to war and that the DRV, as a sovereign country, "cannot bear reconnaissance flights over our country.")
- Better understanding of international (and other) supervision.
- Better understanding on type of ceasefire (e.g., in-place or regroupment.)

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NVN AND US POSITIONS ON KEY ISSUES
(through August 16, 1971)

INDOCHINA, THE GENEVA ACCORDS, AND
INTERNATIONAL GUARANTEES

Their Position

Point 5: "The U.S. should respect the 1954 Geneva Agreements on Indochina and those of 1962 on Laos. It should stop its aggression and intervention in the Indochinese countries and let their people settle by themselves their own affairs."

Point 6: "The problems existing among the Indochinese countries should be settled by the Indochinese parties on the basis of mutual respect for the independence, sovereignty, territorial integrity and non-interference in each other's affairs. As far as it is concerned, the Democratic Republic of Vietnam is prepared to join in resolving such problems."

Point 9: "There should be an international guarantee for the fundamental national rights of the Indochinese peoples, the neutrality of South Vietnam, Laos, and Cambodia, and lasting peace in this region."

Our Position

Point 6: "Both sides should renew their pledge to respect the 1954 and 1962 Geneva Accords, to respect the neutrality, territorial integrity, and independence of Laos and Cambodia. This could be formalized at an international conference."

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Our 8 Points

"3. Both sides agree that:

- South Vietnam, together with the other countries of Indochina, should adopt a foreign policy of neutrality.
- Reunification of Vietnam should be decided on the basis of discussions and agreements between North and South Vietnam without constraint and annexation from either party, and without foreign interference."

"4. Both sides will respect the 1954 Geneva Agreements on Indochina and those of 1962 on Laos. There will be no foreign intervention in the Indochinese countries and the Indochinese peoples will be left to settle by themselves their own affairs."

"8. There will be an international guarantee for the fundamental national rights of the Indochinese peoples, the neutrality of all the countries in Indochina, and lasting peace in this region.

Both sides express their willingness to participate in an international conference for this and other appropriate purposes."

Their July 12 Statements

LDT: "As for your Point 6, both sides should renew their pledge to support the 1954 Geneva Agreements; we agree on that and we have carried this out."

"You said there should be international acknowledgment at an international conference. We have said there should be international guarantee of the agreements, not only for Vietnam but also for Laos and Cambodia."

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Xuan Thuy: "The difference between the 7 points of Madame Binh and our 9 points have been pointed out by Mr. Le Duc Tho. But I would like to point out this very important difference: she only speaks about within Vietnam, but in our 9 points we have raised the question of the whole of Indochina. It is a very important point."

Our July 12 Statements

"Point five we accept in principle but not in the language in which it is now drafted. We are prepared to respect the 1954 and 1962 Geneva Accords on the basis of reciprocity applying to all countries. We consider phrases like "U.S. aggression" rhetorical and unacceptable and they must be removed."

"Point six, we accept the principle that the future of Indochina should be settled by the Indochinese parties on the basis of mutual respect for independence, sovereignty, territorial integrity and non-interference in each other's affairs. We think that the last sentence of your point should be removed because contrary to your intentions it implies that you have special rights which I am sure you have no wish to claim."

"We accept points (8 and) 9."

Their July 26 Statements

Xuan Thuy: "With regard to Point 5, you said it would not be difficult for you to agree in principle with it, but you would like to see another formulation. We shall consider this view, this question."

"In Point 6, we have shown our goodwill in a reasonable proposal for the settlement of problems concerning the Indochinese countries. You proposed that we should remove the last sentence of our proposal. I do not understand yet the reason for your request, but we shall discuss that."

Xuan Thuy: "As to (our Point 8 and) our Point 9, you said that you agreed to them. I have nothing to add. When the time comes we shall discuss these points in detail."

Our July 26 Statements

"We believe, first, that the political solution of each country in Indochina should be discussed first by the various parties in each country. I believe,

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secondly, that this meeting here could make recommendations to the parties on some of the military issues, such as ceasefire and release of prisoners. Thirdly, there could be an international guarantee for these various arrangements and also the provision of international supervision such as you proposed in your Points 8 and 9. I do not believe personally, but we are open on this, that the exact membership of the Geneva Conference of 1954 is necessarily the best grouping to provide this, and we would be open to your suggestions on what countries would be best to provide international supervision and guarantees. We both have the same interests in this respect, to get a reasonable group, and I think we could agree."

(After discussion about the Cambodians and the Laotians and the Vietnamese each settling their affairs, and then having an international conference guarantee the agreements reached), "except for those aspects here, such as ceasefire and prisoners of war and neutralization, and of course withdrawal of our forces."

"Suppose we agree on the neutralization of all the countries of Indochina. Then an international conference can guarantee this and recognize it. We are not asking that an international conference work out the conditions of our arrangements."

Their August 6 Statements

Xuan Thuy: "On August 9 the United States State Department explicitly declared that the United States Government is not bound to comply in the implementation of the 1962 Geneva Agreement on Laos."

Xuan Thuy: "Another point in your point three deals with the neutrality of South Vietnam."

It is our desire that the foreign policy of South Vietnam be a policy of neutrality, based on the five principles of peaceful coexistence and on the seven points proposed by the PRG that we support.

Moreover, we desire also to see a neutral South Vietnam not only in foreign policy but also in political regime, that is to say a South Vietnam that is not Communist and is also not a U.S. -dependent country. For this

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purpose, the Government, the Administration in South Vietnam, should reflect this neutrality, not only in foreign policy but also in internal policy. And definitely the Nguyen Van Thieu Administration does not reflect this policy of neutrality."

Our August 16 Statements - Apart from 8 Points

None other than 8 points.

Current Situation

There is surface agreement that the Indochinese people should settle their own problems, but no indication as to how they will be settled.

Several issues remain:

- How are the North Vietnamese and other outside forces to be handled?
- How do we involve the other Indochinese parties in a settlement?
- Who are the other responsible parties?
- Will local political agreements have to precede local ceasefires? (Hanoi's position on this differs in Laos and Cambodia.)
- What kind of international supervision will there be in Laos and Cambodia?
- What special privileges does North Vietnam have in discussing these things (and, in the case of Cambodia, should Saigon have a voice as it will probably want)?

There is agreement to respect the Geneva Accords but no concrete way to go about this.

There is also agreement on international guarantees, but no agreement on how they will be arranged. We have suggested an international conference, but Hanoi has avoided this issue.

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NVN AND US POSITIONS ON KEY ISSUES
(Updated through August 16)
PROCEDURES

This issue did not arise in the earlier discussion but it did come up on July 26, perhaps as a result of the Peking visit or because the North Vietnamese feel they need a clearer understanding of where we are going. It was they who raised it.

Their July 26 Statements

Le Duc Tho: "But to reach an agreement on a general framework, first we agree on the two principal points, Points 1 and 3. If we agree in principle on these two questions, then other questions can be settled (cites agreement in principle on NVN Points 8 and 9 and PRG Points 4 and 5, and NVN willingness to consider Points 4, 5, 6, and 7 - but all these are "secondary ") easily. . . Now I would like to know whether you agree to this way of discussion, both military and political, and to reach a settlement, because these two questions are the spinal bone of the framework. Without the spinal bone, the framework will collapse.

"I would like to ask you another question. What is the way of negotiating now to settle the problem, the whole of the problem?"

"There is no magical way to settle the problem of Vietnam outside of serious negotiations here in Paris on the basis of our proposals and your proposals. . . In the game of chess, the decisive party to win or lose the game is the participant. There is no other way."

Xuan Thuy: "First, I agree with you on the way to conduct negotiations for a solution of Vietnamese problems. That is to say we agree to these two forums. First, this forum to discuss, to negotiate, to settle all questions of principle and a number of important details. The second forum to negotiate and settle details on the basis of the principles agreed upon. . . When there is a deadlock on Kleber Street on details, we should meet again here."

Our July 26 Statement

"We have two categories of issues. Issues of principle and issues of technical detail. . . I therefore propose. . . that we agree here on a

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statement of principles in considerable detail, and that we give those principles to our delegations at Avenue Kleber that they work on the details there. If there is any deadlock we can meet again to try to resolve it."

"We believe, first, that the political solution of each country in Indochina should be discussed first by the various parties in each country. I believe, secondly, that this meeting here could make recommendations to the parties on some of the military issues, such as ceasefire and release of prisoners. Thirdly, there could be an international guarantee for these various arrangements and also the provision of international supervision such as you proposed in your points 8 and 9. I do not believe personally, but we are open on this, that the exact membership of the Geneva Conference of 1954 is necessarily the best grouping to provide this, and we would be open to your suggestions on what countries would be best to provide international supervision and guarantees. We both have the same interests in this respect, to get a reasonable group, and I think we could agree."

(After discussion about the Cambodians and the Laotians and the Vietnamese each settling their affairs and then having an international conference guarantee to the agreements reached), "except for those aspects here, such as ceasefire and prisoners of war and neutralization, and of course withdrawal of our forces."

"Suppose we agree on a ceasefire, to give you a concrete example. The international conference would deal with the technical supervision of the ceasefire, e. g., how many teams, where they should be. Similarly with neutrality. Suppose we agree on the neutralization of all the countries of Indochina. Then an international conference can guarantee this and recognize it. We are not asking that an international conference work out the conditions of our arrangements."

"You see we take the Special Adviser seriously when he says that we must make peace directly. I am serious about this."

Their August 16 Statements

Xuan Thuy: "Today you present your eight points. So now we have to compare your eight points today with the views we have formulated previously. Regarding a number of points you are more concrete now. There are other points on which you previously made oral statements the last time, and now you have them in written form."

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Naturally, the examination of the eight points requires some time. However I would like to exchange views with you on a number of principal points. The principal points are numbers one, two, and three of your eight points.

These three points correspond also to the first three points of our nine points.

I believe if we can agree on these three points, it will be easier to reach agreement on other points."

Xuan Thuy: "I agree with you that we should reach an agreement in principle, and then we should also have a final agreement. But regarding the agreement in principle, there are two points, the military and political questions, as you have presented them it is difficult to settle them very soon, promptly."

Our August 16 Statements

"Mr. Minister, since our last meeting, we have analyzed your nine points, our seven points, and we have produced eight points which seem to us to offer a basis for a statement of principles. Our proposal is to agree on a statement of principles and to submit it to the formal negotiating groups to work out the details. We have taken some of your formulations, some of Madame Binh's formulations, and some of ours."

Current Situation

There appears to be general agreement on what is discussed where, although there may be disputes as to what represents a principle, an important detail, or a minor detail.

At the August 16 meeting Xuan Thuy voiced concern about the use of intermediaries and preserving the secrecy of the channel. We reassured him on both counts.

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